

25

04



COUNTY ATTORNEY'S OFFICE
MEMORANDUM

TO: Board of County Commissioners
THROUGH: Stephen P. Lee, Deputy County Attorney
FROM: Lynn Vous, Assistant County Attorney
CONCUR: Pam Hastings, Administrative Manager/Public Works Department
Kathleen Myer, Principal Engineer/Engineering Division
DATE: February 28, 2005
RE: Eden Park Avenue Improvement Project
Binding Written Offers/Offer of Judgment
Parcel Nos. 102 and 110

This Memorandum requests authorization by the Seminole County Board of County Commissioners (BCC) to make binding first written offers/offers of judgment as to the parcels and at the amounts set forth below:

I THE PROPERTY

The subject parcels are located on Eden Park Avenue from the Orange County line (S.R. 414 [Maitland Boulevard]) to Bunnell Road. See Location Map attached as Exhibit "A".

II AUTHORITY TO ACQUIRE

The BCC adopted Resolution No. 2004-R-73 on April 13, 2004, authorizing the acquisition of the above-referenced properties, and finding that the improvements are necessary and serve a County and public purpose and are in the best interests of the citizens of Seminole County.

III ACQUISITIONS AND REMAINDERS

N/A

IV APPRAISED VALUES

Clayton, Roper & Marshall, Inc., completed appraisals for the below-referenced parcels. The County's staff appraiser reviewed and approved the appraisals.

V PROPERTY OWNERS/APPRAISED VALUES

PARCEL NOS.	PROPERTY OWNER	PROPERTY TO BE ACQUIRED	COUNTY'S APPRAISED VALUE	PROPOSED OFFER
102	STEPHEN YOST AND STEPHANIE YOST	2,714 sq. ft.	\$17,900.00	\$17,900.00
110	PATRICIA M. MORAN	4,832 sq. ft.	\$33,900.00	\$33,900.00
TOTAL			\$51,800.00	\$51,800.00

VI SETTLEMENT ANALYSIS/COST AVOIDANCE

The County is required to extend a written offer to a property owner prior to filing suit to acquire property through eminent domain. The proposed binding offer amounts are at the appraised values. The written offer/offer of judgment acts as a limitation on attorney's fees if the property owner retains an attorney.

VII RECOMMENDATION

County staff recommends that the BCC authorize binding written offers/offers of judgment at the amounts stated above.

LMV/dre

Attachment

Exhibit A - Location Map

P:\USERS\KCURRY\MY DOCUMENTS\MEMORANDUMS\AGENDA ITEM\AGENDA ITEM EDEN PARK AVENUE BWO 3.DOC



Project Limits		Widen (Lanes)		Distance
From	To	From	To	(Miles)
Orange County Line S.R. 414 [Maitland Boulevard]	Bunnell Road	2	3	0.9

EXHIBIT A